

House Bill 492 (AS PASSED HOUSE AND SENATE)

By: Representatives Cummings of the 16<sup>th</sup> and Bridges of the 10<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated,  
2 relating to membership in the Georgia Judicial Retirement System, so as to repeal a certain  
3 election for participation; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 SECTION 1.

6 Article 3 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to  
7 membership in the Georgia Judicial Retirement System, is amended by striking in its entirety  
8 Code Section 47-23-43, relating to election for participation, and inserting in lieu thereof the  
9 following:

10 "47-23-43.

11 Any person subject to the provisions of this Code ~~Section 47-2-334 who is employed~~  
12 ~~pursuant to Code Section 28-4-3 or 45-15-31 in a full-time position requiring admission~~  
13 ~~to the State Bar of Georgia as a condition of employment may make an irrevocable election~~  
14 ~~to become a member by so notifying the board of trustees not later than December 31,~~  
15 ~~1998, or within 90 days after becoming so employed, whichever date is later. Any such~~  
16 ~~person shall be credited with service in this retirement system only for actual service in~~  
17 ~~such position. The Employees' Retirement System of Georgia shall transfer to this~~  
18 ~~retirement system all employer and employee contributions paid by or on behalf of any~~  
19 ~~such member with regular interest thereon. The member is authorized, but not required, to~~  
20 ~~pay to the board of trustees such additional amount as the member desires, each payment~~  
21 ~~to be made within 12 months of electing to become a member of this retirement system.~~  
22 ~~Such member shall receive only such creditable service, not to exceed the actual years of~~  
23 ~~service, as that amount will warrant without creating any accrued liability to this retirement~~  
24 ~~system calculated as if the member had either elected or rejected spouse's survivors~~  
25 ~~benefits at the member's option. Any such member who was vested in the Employees'~~  
26 ~~Retirement System of Georgia at the time of making such election shall be vested in this~~

5 **SECTION 2.**  
6 All laws and parts of laws in conflict with this Act are repealed.

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